

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

WADE MARTIN ROME
KATHLEEN MALONEY ROME

Case No. 6:15-bk-02498-KSJ
Chapter 7

Debtors.

/

CARLA P. MUSSELMAN, Chapter 7 trustee for the estate of WADE MARTIN ROME and KATHLEEN MALONEY ROME,

Adv. Proc. No.: 6:15-ap-00130-KSJ
Lead Adversary

Plaintiff,

v.

WADE MARTIN ROME and KATHLEEN MALONEY ROME,

Defendants.

/

JOHN BELTRAMO, as trustee of the JOHN W. BELTRAMO REVOCABLE TRUST DATED FEBRUARY 27, 1992,

Adv. Proc. No.: 6:15-ap-00131-KSJ

Plaintiff,

v.

WADE MARTIN ROME and KATHLEEN MALONEY ROME,

Defendants.

/

ROBERT THOMAS, individually and as assignee, beneficiary or successor to ROBERT THOMAS III, TRUSTEE OF THE ROBERT THOMAS REVOCABLE TRUST DATED APRIL 6, 1989, FREDERICK LAUFER, individually and as assignee, beneficiary, or successor to FREDERICK LAUFER, M.D. and LAURA WALSH AS TENANTS BY THE ENTIRETIES, and BRIAN KAUFMAN, individually and as assignee, beneficiary or successor to RICHARD F. KAUFMAN and NORMA V. KAUFMAN, TRUSTEES OF KAUFMAN

Adv. Proc. No.: 6:15-ap-00132-KSJ

REVOCABLE LIVING TRUST DATED JANUARY 30,
1996,

Plaintiffs,

v.

WADE MARTIN ROME,

Defendant.

CARLA P. MUSSELMAN, Chapter 7 trustee for the
estate of WADE MARTIN ROME and KATHLEEN
MALONEY ROME, ROBERT THOMAS, individually
and as assignee, beneficiary or successor to ROBERT
THOMAS III, TRUSTEE OF THE ROBERT THOMAS
REVOCABLE TRUST DATED APRIL 6, 1989,
FREDERICK LAUFER, individually and as assignee,
beneficiary, or successor to FREDERICK LAUFER, M.D.
and LAURA WALSH AS TENANTS BY THE
ENTIRETIES, and BRIAN KAUFMAN, individually and
as assignee, beneficiary or successor to RICHARD F.
KAUFMAN and NORMA V. KAUFMAN, TRUSTEES
OF KAUFMAN REVOCABLE LIVING TRUST
DATED JANUARY 30, 1996,

Adv. Proc. No.:6:16-ap-00066-KSJ

Plaintiffs,

v.

WADE MARTIN ROME and KATHLEEN
MALONEY ROME,

Defendants.

**AGREED MOTION TO EXTEND DEADLINE AND MODIFY
ADMINISTRATIVE ORDER REGARDING AUTHENTICATION FILINGS**

Robert Thomas, individually and as assignee, beneficiary or successor to Robert Thomas III,
Trustee of the Robert Thomas Revocable Trust Dated April 6, 1989, Frederick Laufer, individually and as
assignee, beneficiary, or successor to Frederick Laufer, M.D. and Laura Walsh as Tenants by the Entireties,
and Brian Kaufman, individually and as assignee, beneficiary or successor to Richard F. Kaufman and

Norma V. Kaufman, Trustees of Kaufman Revocable Living Trust Dated January 30, 1996 (collectively, the “Apex Creditors”), by and through their undersigned counsel, hereby file their “Agreed Motion to Extend Deadline and Modify Administrative Order Regarding Authentication Filings” (this “Motion”), and in support thereof state as follows:

1. On March 23, 2015 (the “Petition Date”), Wade Martin Rome and Kathleen Maloney Rome (together, the “Debtors”) initiated a voluntary bankruptcy case (the “Bankruptcy Case”) by filing a petition under chapter 7 of the Bankruptcy Code (the “Bankruptcy Code”).
2. On September 18, 2016, the Trustee initiated an adversary proceeding against the Debtors and the Apex Creditors initiated an adversary proceeding against Wade Martin Rome (the “Debtor Husband”) by filing their respective adversary complaints (together, the “Discharge Adversaries”).
3. On or about September 21, 2015, the Court entered its “Administrative Order Prescribing Procedures for Adversary Proceedings in the Discharge Adversaries (the “Administrative Order”).
4. Paragraph 12.c. of the Administrative Order requires that any party “intending to rely upon the self-authentication procedures of Fed.R.Evid. 902(11) or (12) with respect to introduction of evidence of records of regularly conducted activities ... shall file with the Court and serve on other parties the written declaration required by [the applicable rules] and a copy of all records sought to be admitted at least 28 days before trial.” (the “Authentication Filing”).
5. Pursuant to the date scheduled for the trial in the Discharge Adversaries, the deadline to file the Authentication Filing is December 12, 2016 (the “Deadline”).
6. On December 15, 2016, the parties are meeting and/or exchanging voluminous documents produced by various sources from parties and/or third parties who have complied with document requests and meeting thereafter to coordinate a joint exhibit book and to attempt to resolve authentication and other related issues. In addition, there are several discovery requests for which there has been no response and/or it is anticipated that there will be a tardy response such that there is a potential that documents that may fall within the ambit of the Authentication Filing will be produced after the Deadline. Finally, there are several categories of documents, including bank documents that may result in the filing of many pages.

7. Accordingly, it appears that given the parties' cooperation and the other issues identified herein that compliance with the Authentication Filing will unnecessarily add to the Discharge Adversaries' filing and create additional labor, time, and expense for the parties and the Court.

8. The parties thereof request that the Deadline be extended until December 26, 2016, so that the authentication issues can be addressed in the context of preparing and identifying exhibits for the joint exhibit book. The parties also request that the parties be relieved from the necessity of filing all records sought to be authenticated but rather file a representative sample where the documents are substantially similar.

9. Counsel for Wade and Kathleen Rome and counsel for Carla P. Musselman, Chapter 7 Trustee for the estate of Wade Martin Rome and Kathleen Maloney Rome, all of whom are collectively referred to herein together with the Apex Creditors as the "Parties," have authorized the undersigned to file this Motion and have agreed to the relief requested.

WHEREFORE, the Parties respectfully request that this Court: (1) enter an order granting this Motion; (2) waive the requirement that the Parties file all documents that are sought to be authenticated pursuant to the Administrative Filing provision of the Administrative Order but rather allow a representative sample to be filed where documents are substantially similar in type; (3) extend the Deadline to comply with the Authentication Filing provision of the Administrative Order to December 26, 2016, and (4) provide for such further relief as is deemed just and appropriate in the circumstances.

Dated this 12th day of December, 2016.

/s/ Cheryl Thompson
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Attorney for the Apex Creditors

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by electronic means and/or U.S. first class mail on the 12th day of December, 2016, to:

Jeffrey Ainsworth, Esquire
BransonLaw, PLLC
1501 E. Concord Street
Orlando, Florida 32803

Bradley M. Saxton, Esquire
Winderweedle Haines Ward & Woodman, P.A.
329 Park Avenue North
Winter Park, Florida 32790

/s/ Cheryl Thompson
ATTORNEY